

Remarks

Claims 31-38 are pending. Claims 31-38 stand rejected. Claims 31, 33, and 36 are amended. Claims 34-35 are cancelled. New claims 39-41 are added. Support for amendments to claim 31 are found throughout the specification, see for example pages 9-11, ¶ 31-36. Support for amendments to claim 33 are found throughout the specification, see for example pages 9-11, ¶ 31-36. Support for amendments to claim 36 are found throughout the specification, see for example pages 9-11, ¶ 31-36.

New claim 39 is supported by previous claim 31 and throughout the specification, see for example pages 12-13, ¶ 44. New claim 40 is supported by previous claim 32 and throughout the specification, see for example pages 12-13, ¶ 44. New claim 41 is supported by previous claim 33 and throughout the specification, see for example pages 12-13, ¶ 44. No new matter has been added. Applicants assert that all pending claims are in condition for allowance as set forth more fully below.

Interview Summary

The undersigned and Jeramie Keys participated with an interview with Examiner Le and Supervisory Examiner Matar on January 25, 2006 regarding differences between the cited prior art and the pending claims. In particular, it was discussed that at least one of the pending claims presented multiple available phone numbers and/or subscribers wherein the caller chose among the selections whereas, in the cited prior art, a computer is used to automatically select a subscriber phone number such that a caller is not given multiple subscribers to choose from. Supervisory Examiner Matar indicated that this would likely overcome the current rejections, but that he thought that he could likely find appropriate art to combine with the cited prior art to again reject the claims under 35 U.S.C. 103.

103 Rejections

Claims 31-38 stand rejected as being unpatentable over Masek (US Pat. No. 5,272,749) in view of Riskin (US Pat. No. 4,757,267). Applicant respectfully traverses these rejections.

Claims 31-32

Applicant respectfully submits that neither Masek nor Riskin teaches or suggests a method for providing subscription code services in a geographical area, the method comprising... “querying a controller for call routing instructions when a call initiated by a caller using a subscription code is detected at a switch and a time of day when the call was initiated and retrieving a telephone number from a table containing associations of the subscription code to multiple telephone numbers corresponding to different originating regions based at least in part on the subscription code, the time of day when the call was initiated such that the telephone number retrieved is different at the time of day than it is at a second time of day ...”. Applicant notes that neither Masek nor Riskin teach such a recitation wherein a caller would be provided with a different telephone number depending on the time of the call.

As such, neither Masek nor Riskin, singly or in combination, teach all the elements of claim 31 and claim 31 is allowable for that reason. Dependent claim 32 depends from allowable independent claim 31 and is also allowable for at least the same reasons.

Claim 33

Applicant respectfully submits that neither Masek nor Riskin teaches or suggests a method for providing subscription code services in a geographical area, the method comprising... “querying a controller for call routing instructions when a call initiated by a caller using a subscription code is detected at a switch and a time of day when the call was initiated; retrieving a plurality of telephone numbers from a table containing associations of the subscription code to multiple telephone numbers based at least in part on ... the time of day when the call was initiated, ...offering the caller a selection of one of the retrieved telephone numbers corresponding to the same originating region and depending on the time of day when the call was initiated such that the plurality of telephone numbers offered to the caller is different at the time of day than it is at a second time of day...” Applicant notes that neither Masek nor Riskin teach such a recitation wherein the plurality of telephone numbers offered a caller changes throughout

the day.

As such, neither Masek nor Riskin, singly or in combination, teach all the elements of claim 33 and claim 33 is allowable for that reason.

Further, and as discussed during the interview, neither Masek nor Riskin teaches or suggests a method for providing subscription code services in a geographical area, the method comprising... “retrieving a plurality of telephone numbers from a table containing associations of the subscription code to multiple telephone numbers ... offering the caller a selection of one of the retrieved telephone numbers corresponding to the same originating region ...such that the plurality of telephone numbers offered to the caller is different at the time of day than it is at a second time of day...” as recited in currently amended claim 33. There is no reference in Masek to a choice of subscribers resulting from the dialing of 511-Car City #. Masek appears to use a translation methodology whereby the dialed 511-Car City # number acts as an index to a specific address in a library data table so that there cannot be more than one resulting subscriber telephone number and therefore no need for a choice to be offered. (Col. 9, l. 26-68). Similarly, although multiple telephone numbers may result under Riskin, Riskin teaches that the computer system chooses the telephone number for the user based on interaction with the user. The interaction in Riskin is not a choice by the user, however. The interaction appears to be the request and provision of additional data from the user made up of an extension number and the user’s NPA-NNX. (Col. 3, l. 65-69; Col. 5, l. 32.35). The compute then makes a selection from among several equidistant subscribers. A reference must provide an explicit or implicit suggestion, teaching or motivation in order to be §103 prior art. See, *In Re Dembiczak*, 175 F.3d 994, 50 U.S.P.Q2D (BNA) 1614 (Fed. Cir. 1999) (Placing a pumpkin face on an orange trashbag not obvious under 35USC§103 without finding of suggestion, teaching or motivation in the reference). As such, neither Masek nor Riskin, singly or in combination, teach all the elements of claim 33 and claim 33 is allowable for these reasons.

Claims 36-38

Applicant respectfully submits that neither Masek nor Riskin teaches or suggests a method for providing subscription code services in a geographical area, the method

comprising... “querying a controller for call routing instructions when a call initiated by a caller using a subscription code is detected at a switch and a time of day when the call was initiated; presenting to the caller a list of subscribers associated with the subscription code and depending on the time of day when the call was initiated **such that the plurality of telephone numbers offered to the caller is different at the time of day than it is at a second time of day** ...” Applicant notes that neither Masek nor Riskin teach such a recitation wherein the list of subscribers offered a caller changes throughout the day.

As such, neither Masek nor Riskin, singly or in combination, teach all the elements of claim 36, and claim 36 is allowable for these reasons.

Applicant further notes that neither Masek nor Riskin teaches or suggests a method for providing subscription code services in a geographical area, the method comprising in part... presenting to the caller a list of subscribers associated with the subscription code and receiving one telephone number corresponding to a subscriber that has been chosen by the caller from the list, wherein the one telephone number is substantially permanently assigned to the subscriber code as recited in claim 36. There is no reference in Masek to a choice of subscribers resulting from the dialing of 511-Car City #. Masek appears to use a translation methodology whereby the dialed 511-Car City # number acts as an index to a specific address in a library data table so that there cannot be more than one resulting subscriber telephone number and therefore no need for a choice to be offered. (Col. 9, l. 26-68). Similarly, although multiple telephone numbers may result under Riskin, Riskin teaches that the computer system chooses the telephone number for the user based on interaction with the user. The interaction in Riskin is not a choice by the user, however. The interaction appears to be the request and provision of additional data from the user made up of an extension number and the user’s NPA-NNX. (Col. 3, l. 65-69; Col. 5, l. 32.35). The compute then makes a selection from among several equidistant subscribers. A reference must provide an explicit or implicit suggestion, teaching or motivation in order to be §103 prior art. See, *In Re Dembiczak*, 175 F.3d 994, 50 U.S.P.Q2D (BNA) 1614 (Fed. Cir. 1999) (Placing a pumpkin face on an orange trashbag not obvious under 35USC§103 without finding of suggestion, teaching or motivation in the reference).

As such, neither Masek nor Riskin, singly or in combination, teach all the elements of claim 36 and claim 36 is allowable for that reason. Dependent claims 37 and 38 depend from allowable independent claim 36 and are also allowable for at least the same reasons.

Claims 39-40

Applicant submits that new claim 39 is allowable over the cited prior art for at least the reason that neither Masek nor Riskin, singly or in combination, teach all the elements of claim 39. In particular, Applicant submits that neither Masek nor Riskin teaches or suggests a method for providing subscription code services in a geographical area, the method comprising in part...retrieving a plurality of telephone numbers from a table containing associations of the subscription code to multiple telephone numbers corresponding to different originating regions based at least in part on the subscription code and the originating region determined for the first call, wherein the telephone number is substantially permanently assigned to the subscription code; offering the first caller a selection of one of the retrieved telephone numbers corresponding to the same originating region and wherein the plurality of retrieved telephone numbers is offered to the first caller in a predetermined round robin order such that a second caller on a second call is presented with the plurality of retrieved telephone numbers in a different order than the first caller as recited in claim 39. Applicant notes that neither Masek nor Riskin teach such recitations wherein a plurality of retrieved telephone numbers are offered to the caller nor does Masek nor Riskin teach that the order of the plurality of retrieved telephone numbers offered a caller changes from one caller to the next.

As such, neither Masek nor Riskin, singly or in combination, teach all the elements of claim 39 and claim 39 is allowable for at least that reasons. Dependent claim 40 depends from allowable independent claim 39 and is also allowable for at least the same reasons.

Claim 41

Applicant submits that new claim 41 is allowable over the cited prior art for at least the reason that neither Masek nor Riskin, singly or in combination, teach all the

elements of claim 41. In particular, Applicant submits that neither Masek nor Riskin teaches or suggests a method for providing subscription code services in a geographical area, the method comprising in part... offering the first caller a selection of one of the retrieved telephone numbers corresponding to the same originating region and wherein the plurality of offered telephone numbers is presented to the first caller in a predetermined round robin order such that a second caller on a second call is presented with the plurality of retrieved telephone numbers in a different order than the first caller as recited in claim 41. Applicant notes that neither Masek nor Riskin teach such recitations wherein a plurality of retrieved telephone numbers are offered to a caller nor does Masek nor Riskin teach that the order of the plurality of retrieved telephone numbers offered a caller changes from one caller to the next.

As such, neither Masek nor Riskin, singly or in combination, teach all the recitations of claim 41 and claim 41 is allowable for at least these reasons.

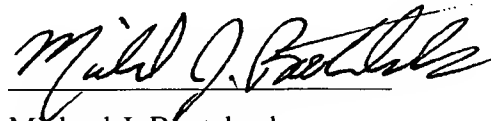
Conclusion

Applicants assert that the application including claims 31-33 and 36-41 is now in condition for allowance. Applicants request reconsideration in view of the remarks above and further request that a Notice of Allowability be provided. Should the Examiner have any questions, please contact the undersigned.

No fees are believed due beyond the fee for continued examination. However, please charge any additional fees or credit any overpayment to Deposit Account No. 503025.

Respectfully submitted,

Date: February 28, 2006



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